

THE HONOURABLE SRI JUSTICE V.ESWARAIAH

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WRIT PETITION No :21750 of 2007

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DATED:11-10-2007

BETWEEN:

Kadugula John & another.

..... PETITIONERS

AND

The Revenue Divisional Officer,
Kovvur,
West Godavari District & 3 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioners as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioners seek a writ of certiorari calling for the records from the 1st respondent pertaining to his order in Roc.No.A-1124/2006, dated 15-10-2006, and quash the same holding that it is illegal and arbitrary.

3. It is the case of the petitioners that civil disputes are pending between the petitioners, and the unofficial respondents and others. Whiles, 1st respondent-Revenue Divisional Officer, Kovvur, by his order in Roc.A.1124/2006, dated 15-10-2006, without giving any reasonable opportunity and without conducting any enquiry, based on the information given by the A.G.P., Kovvur cancelled the pattadar pass books and title deeds granted in favour of the petitioners. It is stated that the said order, dated 15-10-2006, was not at all communicated and therefore, petitioners filed an application for supply of the said order under the Right to Information Act and pursuant to the said information only the said order has been communicated on 07-09-2007.

4. I am of the opinion that against the said order revision lies to the Collector under Section 9 of the A.P.Rights in Land and Pattadar Pass Books Act, 1971 (for brevity, 'the Act') as the

impugned order passed by the 1st respondent is under Section 5(5) of the Act.

5. Having regard to the facts and circumstances of the case, petitioners are permitted to file a revision before the Collector, under Section 9 of the Act within ten days from the date of receipt of a copy of this order against the said order of the 1st respondent, and if any such revision is filed *status quo* obtaining as on today with regard to entries in the revenue records shall be maintained pending disposal of the revision.

6. Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

V.ESWARAIAH,J

11th October, 2007.

Note:

Furnish C.C. of the order within two days.

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